IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE SIXTH DAY OF FEBRUARY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

Writ Petition No.2064 of 2007

Between:

M/s.A.Krishna Reddy.

.....
PETITIONER

AND

1.The Commercial Tax Officer,
Khairatabad Circle, Hyderabad, and 2 others.

.....RESPONDENTS

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.2064 of 2007

Order: ***(Per Hon'ble Sri Justice Bilal Nazki)***

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

Pending appeal, the petitioner filed an application seeking stay of the recovery of the disputed tax, which has been declined. We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that there shall be stay of recovery till disposal of the appeal, subject to deposit of half of the total liability minus the amounts, if any, already deposited by the petitioner, within a period of six weeks from today. For six weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within six weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

The Writ Petition is, accordingly, disposed of. No costs.

(Bilal Nazki, J)
6th February, 2007

(Nooty Ramamohana Rao, J)

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